



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814
March 15, 2007

IN REPLY REFER TO
HDA-CA
Document # S50228

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, MS #82
For Rachel Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2007 FTIP Amendment No. 4 – Sacramento Area Council of Governments (SACOG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 4 to the SACOG 2007 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated March 5, 2007. SACOG adopted Amendment No. 4 with Resolution No. 55-2006 on December 14, 2006. With that action, the SACOG Board of Directors approved the program modifications and reaffirmed the consistency of the SACOG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The primary purpose of SACOG's 2007 FTIP Amendment No. 4 is to add exempt projects to the FTIP; to revise funding for projects that were programmed in prior years, but not obligated, in order to bring those projects into the triennial element of the TIP; and to add funds to other projects.

As a result of SACOG's 2006 Federal Planning Certification Review, the project selection and programming process for Sacramento Regional Transit (RT) projects were deemed not fully compliant with the programming requirements of 23 CFR 450.310. Therefore, FSTIP programming approval for those Sacramento RT projects proposed for inclusion in the 2008 and 2009 program years of the 2007 FSTIP were withheld. Sacramento RT projects with funds in those program years remain listed in the FTIP for informational purposes only. Specifically, \$87,340,000 listed of Section 5309(b) New Starts funding in FFY 2009 for project REG15053, funding added to REG15880 for Light Rail Vehicle Rehab in FFY 2007 and Operating Assistance added to REG17797 in FFY 2007 have been (and continue to be) excluded from approval, and continue to be listed in SACOG's FTIP for informational purposes. Also, YCT18077 is a project that should not be listed in the FTIP, but in the Overall Work Program, and has been excluded from approval.

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Pursuant to the July 15, 2004, Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX, we accept the modifications to the 2007 Federal Statewide Transportation Improvement Program (FSTIP) for the SACOG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that SACOG's 2007 FTIP, through Amendment No. 4, was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. Chapter 134, and 49 U.S.C. Chapter 53. This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements.

We have determined that this program modification is exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93 Sections 126 and 127. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000. Therefore, we find that SACOG's 2007 FTIP continues to conform to the applicable State Implementation Plan (SIP).

This letter constitutes approval and inclusion of the SACOG's FTIP Amendment No. 4 into California's 2006/07 – 2008/09 FSTIP.

If you have questions or need additional information concerning our approval for this SACOG FSTIP amendment, please contact Steven Luxenberg (steve.luxenberg@fhwa.dot.gov) of the FHWA California Division office at (916) 498-5066.

Sincerely,

/s/ Steve Luxenberg

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Karina O'Connor, EPA

Jerome Wiggins, FTA

Abhijit Bagde, Caltrans HQ

Mike Brady, Caltrans HQ

Debra Jones, SACOG

Jose Luis Caceres, SACOG

cc: (other)

SACOG TIP Binder

sluxenberg/ac